



Questions & Answers about the Coeur d'Alene Basin Draft Interim Restoration Plan

Q – What action is being taken?

The Trustees are releasing the “Draft Coeur d'Alene Basin Interim Restoration Plan” (Draft Interim Restoration Plan). This will begin a 30-day public comment period that ends on July 18, 2006.

Q – Who is releasing the Draft Interim Restoration Plan?

The Coeur d'Alene Basin Natural Resource Trustees (Trustees), a partnership between the U.S. Department of Interior (U.S. Fish and Wildlife Service and Bureau of Land Management), U.S. Department of Agriculture (Forest Service), and the Coeur d'Alene Tribe.

Q – What is the State of Idaho’s role in the restoration planning process?

Trustees have reached consensus on the proposed alternatives in the Draft Interim Restoration Plan in coordination with the State of Idaho. Following the close and review of public comments on the proposed alternatives, the Trustees, in coordination and agreement with the State of Idaho, will select the interim restoration alternative and prepare and adopt the final interim restoration plan.

Q – Why is this called an “interim plan?”

The Trustees have called this a Draft *Interim* Restoration Plan because the Trustees are proposing to begin restoration projects in the Coeur d’Alene River Basin (Basin) prior to resolving their claims against all parties potentially responsible for natural resource damages in the Basin. The Trustees have decided to do this in order to take advantage of current opportunities to restore injured resources and to use existing funds and trusts from prior settlements with other potentially responsible parties in the Basin to implement restoration projects.

Q - What activities are being proposed?

The Draft Interim Restoration Plan proposes stream stabilization and wetland restoration activities that are intended to be conducted in 2006-2008 in the Coeur d’Alene Basin, through the Natural Resource Damage Assessment and Restoration (NRDAR) process under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). A list of proposed projects can be found in the Trustees’ Draft Interim Restoration Plan. The proposed

action alternative is designed to partially compensate the public for trust natural resources injured by the release of mining related heavy metals in the Coeur d'Alene Basin.

After consideration of comments submitted during the public comment period for the Trustees' Draft Interim Restoration Plan, and after completion of applicable analysis and decision processes under the National Environmental Policy Act (NEPA), the Trustees will select the restoration alternative to pursue and will publish a final Interim Restoration Plan identifying the actions that will be implemented.

Q – Why are these restoration activities necessary?

For over 100 years, the Basin was one of the most productive silver, lead, and zinc mining areas in the United States, producing 7.3 million metric tons of lead and 2.9 million metric tons of zinc between 1883 and 1997. For most of that time, mining, milling, and refining operations in the Basin produced and released hazardous substances containing metals, including cadmium, lead, and zinc. As a result, Basin soil, sediment and water contain elevated concentrations of these metals that injure those and other natural resources in the Basin, including plants, fish and wildlife.

Q. – What is the difference between the Trustees' proposed “restoration” activities in the Draft Interim Restoration Plan and the “response” activities of EPA and the State of Idaho that are identified in EPA's Records of Decision for OU-1 through OU-3 in the Coeur d'Alene Basin?

“Restoration” actions are undertaken by natural resource trustees to return an injured resource to its “baseline” condition, as measured in terms of the injured resource's physical, chemical, or biological properties or the services it previously provided. Such restoration actions are in addition to EPA and/or state government “response actions” that are completed or anticipated at a hazardous waste site, and may exceed the level of response actions being undertaken by response authorities at those sites. The Trustees' Draft Interim Restoration Plan proposes restoration projects that would go beyond the source control and hazardous substance removals contemplated under USEPA's 1991, 1992, and 2002 Records of Decision for OU-1, OU-2, and OU-3 in the Basin through actions aimed at restoring, rehabilitating or replacing physical, chemical, biological, and ecological attributes of natural resources that contribute to functional ecosystems.

Q – Has there been any environmental “injury” incurred due to these heavy metals being released into the environment?

In 2003, the U.S. District Court for the District of Idaho ruled in Coeur d'Alene Tribe v. ASARCO, et al., that natural resources have been injured by hazardous substances released from mining and mineral processing facilities in the Basin. The injured natural resources include surface and ground water, soils and sediments, riparian resources, fish, and birds (i.e., tundra swans that feed in the lower Basin).

Q – How much will these restoration activities cost?

Activities proposed in the Draft Interim Restoration Plan are expected to cost approximately \$3 million.

Q – Where will this money come from?

The scope of restoration activity undertaken as a result of this Draft Interim Restoration Plan would depend on current and near-future funds, property, and services made available through the resolution of natural resource damage claims. The proposed alternatives in this Draft Interim Restoration Plan are consistent with the funds currently available from the Trustees' prior settlements with several potentially responsible parties in the Basin. Additional funds may also become available through requests for reimbursable funds that are submitted by the Federal Trustees to the ASARCO, Inc. Environmental Trust, which the company established through a court approved, partial settlement of certain nationwide environmental claims against it by the United States, and/or through Trustee settlements for natural resource damages with the remaining potentially responsible parties.

Q – How will the public's interests be protected?

Under CERCLA, damages recovered from parties responsible for natural resource injuries are used by natural resource trustees "to restore, replace, or acquire the equivalent of the injured resources." The non-mandatory NRDAR regulations outline the restoration planning process and identify factors that natural resource trustees should consider in selecting which of the proposed restoration alternatives to pursue. The purpose of the Trustees' Draft Interim Restoration Plan is to propose alternatives for addressing mining-related natural resource injuries in the Basin. If selected, the Trustees' proposed action alternative would initiate restoration projects that would partially address public losses attributable to such natural resource injuries in the Basin. In the restoration planning process, trustees also consider public interests through the process for submitting public comments on proposed restoration alternatives that are described in documents such as the Trustees' Draft Interim Restoration Plan.

Q – Will these proposed activities take care of all of the restoration activities needed in the Coeur d'Alene Basin?

The Trustees' Draft Interim Restoration Plan is not intended to quantify or analyze the full extent of restoration needed in the Basin. The scale of restoration activity undertaken as a result of this Draft Interim Restoration Plan depends on current and near-future funds, property, and services made available through the resolution of natural resource damage claims. The Trustees will continue to assess opportunities to enhance the scale of the restoration projects proposed in this Draft Interim Restoration Plan, as well as opportunities to conduct additional restoration projects, consistent with available funding.

Q – Where can I obtain or view a copy of the Draft Interim Restoration Plan?

The Draft Interim Restoration Plan can be viewed and downloaded on the internet sites of the U.S. Fish and Wildlife Service at <http://www.fws.gov/pacific/ecoservices/envicon/nrda/restoration.html> or <http://www.fws.gov/easternwashington>. Links to the document will be available on the internet sites of the U.S. Forest Service at <http://www.fs.fed.us/ipnf/eco/projects.html>; the Bureau of Land Management at <http://www.id.blm.gov/>; and the Coeur d'Alene Tribe at http://www.cdatribe-nsn.gov/lake/p_damage.shtml.

Q – How can I provide comment on this Draft Interim Restoration Plan?

Comments are due by July 18, 2006. Written comments on the Draft Interim Restoration Plan should be submitted to: Brian Spears, U.S. Fish and Wildlife Service, Upper Columbia Fish and Wildlife Office, 11103 East Montgomery Drive, Spokane, WA 99206, or by facsimile to 509-891-6748. Comments may also be sent by electronic mail to coeurdaleneplan@fws.gov. Please write "Interim Restoration Plan" in the e-mail subject header and your name and return address in the body of your message. If you do not receive a confirmation from the system that we have received your Internet message, contact the U.S. Fish and Wildlife Service directly by calling the Upper Columbia Fish and Wildlife Office at 509-891-6839.

Hard copies of the Draft Interim Restoration Plan will be available for review during normal office hours at the Upper Columbia Fish and Wildlife Office (address above) and the Coeur d'Alene Tribe NRDA Office (424 Sherman Avenue, Coeur d'Alene, Idaho).

Q – What will occur after the comment period closes?

After consideration of comments submitted during the public comment period for the Trustees' Draft Interim Restoration Plan, and after completion of the National Environmental Policy Act (NEPA) process, the Trustees will select the restoration alternative to pursue and will publish a final Interim Restoration Plan which identifies the actions that will be implemented.